

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 9th day of March, two thousand and sixteen.

Before: Richard C. Wesley,
Circuit Judge

Gilberto Franco, On behalf of himself and all others
similarly situated,

Plaintiff-Appellant,

v.

Allied Interstate LLC, FKA Allied Interstate, Inc.,

Defendant-Appellee.

ORDER

Docket No. 15-4003

Defendant-Appellee moves to hold this appeal in abeyance pending this Court's determinations in *Geismann v. ZocDoc, Inc.* (14-3708) and *Lary v. Rexall Sundown, Inc.* (15-601). Plaintiff-Appellant opposes.

IT IS HEREBY ORDERED that the motion is GRANTED. The instant appeal shall be held in abeyance pending decisions in *Geismann* and *Lary*. Plaintiff-Appellant shall file a scheduling notification within 14 days of the later of a decision being rendered in *Geismann* or *Lary*.

For the Court:

Catherine O'Hagan Wolfe,
Clerk of Court

 

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 